

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	)	Criminal No.	5:24-CR- 489 (BKS)
)		
v.	)	Indictment	
)		
KENNETH R. MARTIN,	)	Violation:	18 U.S.C. § 2252A(a)(5)(B)
	)		[Possession of Child
Defendant.	)		Pornography]
)		
	)	1 Count and Forfeiture Allegation	
)		
	)	County of Offense:	Onondaga

THE GRAND JURY CHARGES:

COUNT 1
[Possession of Child Pornography]

On or about January 10, 2024, in Onondaga County in the Northern District of New York, the defendant, **KENNETH R. MARTIN**, did knowingly possess material that contained one or more images of child pornography that had been transported using a means and facility of interstate and foreign commerce, and in and affecting such commerce by any means, including by computer, and that was produced using materials that had been shipped and transported in and affecting such commerce by any means, including by computer, that is, one SanDisk Ultra 256gb thumb drive, SDCZ48-256G, BQ22040015774, manufactured in Malaysia, which contained numerous graphic image and video files of minors engaged in sexually explicit conduct, in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

PRIOR CONVICTION ALLEGATION

The defendant **KENNETH R. MARTIN** has a prior final conviction under the laws of New York State relating to the possession of child pornography, in that on or about February 4, 2020 he pled guilty in Onondaga County Court to Possessing a Sexual Performance by a Child, in violation of New York Penal Law, Section 263.16, and on or about June 29, 2020 was sentenced to 10 years' probation. Following a violation of the terms of that probation, on May 21, 2024, the defendant was re-sentenced to a term of imprisonment of from 1^{1/3} – 4 years.

This prior conviction affects the penalty provisions associated with Counts 1 and 2, pursuant to Title 18, United States Code, Sections 2252A(b)(2).

FORFEITURE ALLEGATION

The allegations contained in Count 1 of this Indictment are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 2253.

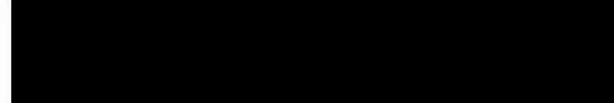
Pursuant to Title 18, United States Code, Section 2253(a)(3), upon conviction of the charges alleged in Count 1, the defendant, **KENNETH R. MARTIN**, shall forfeit to the United States of America any property, real and personal, used and intended to be used to commit and to promote the commission of the offense. The property subject to forfeiture includes, but is not limited to, the following:

- a. One SanDisk Ultra 256gb thumb drive, SDCZ48-256G, BQ22040015774, manufactured in Malaysia One Dell Precision 3551 Laptop computer, and

- b. One HP Envy Desktop computer, serial no. 2MO0333HQC, model TE01-114, manufactured in Mexico and containing one KIOXIA Corp. NVMe 512gb hard drive, serial no. 20APE9XFPHML, manufactured in Taiwan.

Dated: December 11, 2024


A TRUE BILL,



Grand Jury Foreperson

CARLA B. FREEDMAN
United States Attorney

By:


Lisa M. Fletcher
Assistant United States Attorney
Bar Roll No. 510187